



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

U.S.

REPLY TO THE ATTENTION OF:

January 12, 1995

VIA FAX THEN
U.S. MAIL

EPA Region 5 Records Ctr.



245204

Joseph G. Nassif
Coburn & Croft
Suite 2900
One Mercantile Center
Saint Louis, Missouri 63101
FAX (314) 621-2989

RE: Standard Scrap/Chicago International Exporting Site
Chicago, Illinois

Dear Mr. Nassif:

U.S. EPA has not received a response to the undersigned's letter to you dated January 5, 1995 regarding a meeting to discuss U.S. EPA's on-going removal action at the Facility. As you are probably aware, U.S. EPA's removal team is currently excavating contaminated soil in the north end of the east lot and is approaching the area where the metal shredding and separating operations are located (the south portion of the east lot).

Steve Faryan, U.S. EPA's On-scene Coordinator ("OSC") has informed the undersigned that Lawrence Cohen has threatened to deny EPA access to the Facility, and has caused delays in EPA's removal action during the past week. A dispute apparently arose regarding Mr. Cohen's failure to relocate certain piles of material, which EPA requested he move on several occasions, and which EPA was forced to relocate. While that dispute was apparently resolved, U.S. EPA would like to avoid such delays and complications in the future. Therefore by the attached letter from U.S. EPA's OSC to the site owners/operators, and the attached Work Plan outline, U.S. EPA hereby notifies the site owners/operators of the next phase of the removal action at the above referenced Facility. For a general description of U.S. EPA's removal action at the Facility, please see the Unilateral Administrative Order dated September 14, 1994, the Access Order dated November 1, 1994, and the Action Memorandum dated September 22, 1994. Each of these documents have been previously provided to you.

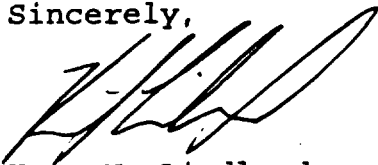
Please notify the undersigned by no later than January 17, 1995 of any suggestions U.S. EPA may consider in implementing these actions as they relate to the site owners'/operators' metal shredding operations.

On a separate but related matter, Ms. Shinning indicated in her October 31, 1994 letter that your clients are preparing materials to support their assertion that the current shredding operations at the facility do not result in the generation, transportation, storage or disposal of PCBs in violation of any federal law. (See enclosed October 31, 1994 letter). Ms Shinning also stated that Respondents are preparing "a written version of their motor-sorting procedures", which she alleges "effectively remove any and all capacitors which may even potentially contain PCBs". Ms Shinning also claims in her October letter that Respondents will conduct tests of shredded material. She then states that "Respondents will prepare a full technical analysis of the current shredding/chopping operations".

Also, in her October 31, 1994 letter, Ms. Shinning states that the above information will be provided to U.S. EPA and that she "hope[s] U.S. EPA will take this evidence into consideration". While the above mentioned material has surely been prepared by now, U.S. EPA has not received any of that information, except one page containing analysis of 3 samples taken from an undisclosed location at the site which was attached to the October letter. Therefore, please provide the information identified above and in Ms Shinning's October letter to the undersigned by no later than January 17, 1994, as EPA is currently assessing Respondents operations as they relate to continuing releases or threats of releases of hazardous substances from the Facility, or pose an imminent and substantial endangerment to human health, or the environment.

If you have any questions regarding these matters, please do not hesitate to call me at (312) 886-6831.

Sincerely,



Kurt N. Lindland
Assistant Regional Counsel

cc: Brian Havey, Assistant U.S. Attorney
Northern District of Illinois

Carolyn K. Shinning
Three First National Plaza
Suite 1960

Chicago, Illinois 60601
FAX (312) 251-0026

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V**

January 12, 1995

HAND DELIVERED

**Chicago International Exporting
Attn: Mr. Bud Cohen and Mr. Steven Cohen
4024 S. Wentworth
Chicago, IL. 60609**

Dear Sirs,

By this letter and via meetings and daily verbal conversations, the U.S. EPA is notifying you of the materials and equipment which will have to be moved in your yard to facilitate the on-going Superfund Removal Action.

The U.S. EPA On-Scene Coordinator, Steven J. Faryan, has verbally asked numerous times on December 20 and 21 and December 27 and 28 and January 3 and January 9 to move metal debris out of the way in the North Portion of the Main yard. Although some debris was moved, the U.S. EPA had to move the remaining steel, debris and shaker screen during the week of December 27 through December 30 and January 3 through present to facilitate excavation of the PCB and Lead contaminated soil.

Numerous piles of scrap steel, steel plates, cylinders, tanks and other metal debris remain in the North Portion of the Main Yard. The U.S. EPA is asking that the uncontaminated scrap metal be moved from the main yard immediately. If the scrap is not moved by January 17, 1995, then the U.S. EPA will have to load and dispose or recycle the metal.

The On-Scene Coordinator asked CIE to move metal debris and metal plates from the rail spur in the main yard on December 27 and 28 and again on January 3 and January 9. The OSC asked to open the rail spur up so that two gondola cars could be staged for loading. To date no steel has been moved and actually more steel has been piled on the tracks. This has and will slow down the loading and disposal operations causing an extension on our time line and additional costs. The U.S. EPA is asking CIE to move all debris and scrap from the rail spur by January 17, 1994, which at that point the U.S. EPA will have to move and dispose or recycle the metal.

The On-Scene Coordinator has asked repeatedly on December 20 and 21 and on December 27 and again on January 3 to move steel loading and off loading operation to the Wentworth St. gate by January 20. Nothing has been done to date to move these

operations. The road in the main yard will be excavated after January 20 and will not be backfilled until confirmation sampling indicates the area is clean.

The main yard will not be backfilled up to the old grade. The excavated areas will be leveled and backfilled with 6 to 12 inches of tunnel stone.

U.S. EPA investigation sampling in the main yard has shown lead contamination above RCRA regulations under the concrete pad in the North end. The concrete will be broken out and contaminated soils excavated. This phase of the removal action will commence at the end of January 1995.

The removal action will move from North to South in the main yard. All contaminated soil will be excavated and piles and debris and contaminated shredded material will be scraped from the entire main yard and disposed of appropriately. The pad will be decontaminated appropriately with high pressure washers, scabblers or by other means. This phase of the removal will commence in February of 1995. It is expected that the shredding operations in the Main yard will have to be shut down during the Month to facilitate clean-up operations.

The final phase of the removal action will be in the main building containing the chopping and gravity separator units. All contaminated piles will be removed and disposed and dust and debris will be scraped and or vacuumed for disposal. The floor and walls will be decontaminated with a high pressure washer and scabbler.

The U.S. EPA has discussed this work plan verbally with owner Mr. Bud Cohen on January 12, 1995. The owner agreed that most of the dates stated above are reasonable and will be taken care of by CIE. Mr. Cohen stated "that CIE will fight the removal of the concrete pad in the North end". This phase of the removal will be put on hold until an agreement can be worked out or until the next court date.

If you have any questions regarding this letter feel free to contact Mr. Steven Faryan on site at 312-373-1085.


Steven J. Faryan
On-Scene Coordinator
U.S. EPA Region V

cc Carolin Shining, ESQ.

THE LAW OFFICE OF CAROLIN K. SHINING, ESQ.
ATTORNEY-AT-LAW

THREE FIRST NATIONAL PLAZA
SUITE NINETEEN-SIXTY
CHICAGO, ILLINOIS 60601-1210

(312)251-0033 (DIRECT)
(312)251-0026 (FAX)
75004.1223@CIS.COM (E-MAIL)

October 31, 1994

VIA FAX (886-0747)

Kurt Lindland
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

RE: Order No. V-W-94-249

Dear Kurt:

This letter is in response to your letter of October 27, 1994 regarding preliminary results of samples taken on October 5, 1994.

Before responding to your letter, let us restate that Chicago International Exporting, Inc., Chicago International Chicago, Inc., Steven and Lawrence Cohen ("Respondents") will continue to assist the U.S. EPA in its efforts to implement the requirements of the Section 106 Order, including our recent agreement to aide in the installation of a trailer at 4004 S. Wentworth and to host a Work Plan meeting at 4004 S. Wentworth on November 2, 1994 at 10:30 a.m. As stated in our letter to you of October 18, 1994, while Respondents are not financially able to comply with all terms of the Section 106 Order, Respondents will make every effort to assist the U.S. EPA to the extent reasonable and possible.

Despite our intent to cooperate and provide the U.S. EPA every consideration, Respondents must repeat their belief that their current shredding operations do not result in the generation, transportation, storage or disposal of PCBs in violation of any federal hazardous waste laws. Respondents are preparing materials to support this assertion, and hope that the U.S. EPA will take this evidence into consideration.

Respondents will voluntarily provide materials demonstrating that their operations do not generate PCBs. First, Respondents will provide with documentary and technical evidence, provided in part by Ron Frehner of Conestoga-Rovers & Associates and through Respondents' own expertise in identifying electric motors. Tests conducted on such raw materials which have not been stored at 4004 S. Wentworth are attached to this letter. As PCB-containing motors

THE LAW OFFICE OF CAROLIN K. SHINING, ESQ.
ATTORNEY-AT-LAW

Letter to Kurt Lindland

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October 31, 1994

have not been sold in normal recycling and shredding channels for over a decade, PCB-containing motors and transformers do not exist in the stream of materials purchased by Respondents.

Second, Respondents are producing a written version of their motor-sorting procedures. These current procedures effectively remove any and all capacitors which may even potentially contain PCBs. Additional safeguards, including removing all capacitors from electric motors prior to shredding will further reduce the likelihood that any PCB-containing material is shredded.

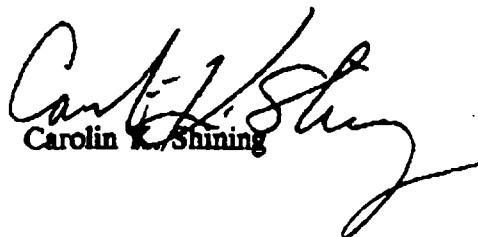
Third, Respondents will conduct additional tests of shredded material as it leaves the shredding machine and before it contacts 4004 S. Wentworth. We will provide the U.S. EPA split samples of these materials, and we will repeat these tests with the U.S. EPA present if requested.

Lastly, compiling the evidence collected above, Respondents will prepare a full technical analysis of the current shredding/chopping operations. Respondents firmly believe their current practices, policies, as analysed and tested, will establish that no PCBs are generated by the shredding operation.

As stated before, Respondents are doing their best to comply with the Section 106 Order. Respondents hope that the U.S. EPA recognizes these efforts. In fact, Respondents are willing to consider any suggestion that the U.S. EPA may have which will facilitate this cooperation and ensure that Respondents' business remains on-going.

We look forward to receiving your test results as soon as you may make them available. Please do not hesitate to contact me with your questions and concerns.

Yours truly,


Carolin K. Shining

cc: Steven and Lawrence Cohen (via fax)



Scientific
CONTROL LABORATORIES, INC.
TESTING — CONSULTING

David M. Caskey
Laboratory Manager
2169 S. Kedd Ave.
Chicago IL 60609-4660
Phone: 312-254-2000
FAX: 312-254-0001

Report To: Mr. Rich Burgess
Chicago International
4020 South Wentworth
Chicago IL 60609

Project Number: 84-832
Project Inception: 10-18-84
Report Date: 10-28-84

Project Type: Chemical Analysis

IDENTIFICATION OF MATERIAL:

Three (3) capacitor samples, identified below.

PROCEDURE:

The sample was analyzed in accordance with 40 CFR 136, Method 808.

RESULTS:

<u>Sample ID</u>	<u>PCB</u>	<u>Quantitation</u> <u>Limit</u>
1	BDL	1. ppm/capacitor
2	BDL	2.38 ppm
3	BDL	1. ppm/capacitor

BDL = Below Detection Limits

Respectfully submitted,

SCIENTIFIC CONTROL LABORATORIES, INC.

By

David M. Caskey

DMC:J

FAX

Note: It is our policy to keep copies of reports for six months. The data is kept on file for up to three years. Samples (if applicable) are kept for three weeks. Samples that are hazardous will be returned to the client. If this policy poses a difficulty, please contact us to make other arrangements. If reproduced, our report, must be reproduced completely. Any unauthorized alteration of this report invalidates the content.